

FILED

United States District Court

AUG 23 2006

MIDDLE

DISTRICT OF

ALABAMA

UNITED STATES OF AMERICA

v.

CARLOS BADILLO

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.
CRIMINAL COMPLAINT

CASE NUMBER: / : 06mj 87-SRW

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. In or around the beginning of 2006 through June 16, 2006, in Coffee county and elsewhere within the Middle District of Alabama defendant(s) did, (Track Statutory Language of Offense)

knowingly and intentionally combine, conspire, confederate, and agree with other persons, both known and unknown, to knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectible amount of methamphetamine, and a mixture and substance containing a detectible amount of cocaine hydrochloride, both Schedule II Controlled Substances,

in violation of Title 21 United States Code, Section(s) 846 I further state that I am a(n)

Drug Enforcement Administration, Special Agent and that this complaint is based on the following facts:
Official Title

SEE THE ATTACHED AFFIDAVIT WHICH IS INCORPORATED BY REFERENCE

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No


Signature of Complainant

Sworn to before me and subscribed in my presence,

August 23, 2006

Date

at Montgomery, Alabama

City and State

Susan Russ Walker, U.S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

On May 29, 2006, Kelly McDougal was arrested in Elmore County, AL for possession of methamphetamine. Subsequent to her arrest, McDougal was provided Miranda Warnings and made a post-arrest statement. McDougal said that she had purchased methamphetamine on several occasions since early 2006 from Christine Albin and "Carlos" whose last name was unknown to McDougal.

Specifically, McDougal said that Christine Albin and Carlos live on Alexis Drive in Elmore, AL. McDougal said that she had seen half pound quantities of methamphetamine in their residence on two occasions. McDougal further said that Albin and Carlos obtained the methamphetamine from either Atlanta, GA or Texas.

On June 16, 2006, Jimmy Graves contacted the Drug Enforcement Administration, Montgomery District Office. Graves stated that Lawana Albin, Christine Albin and Carlos Bodilla were currently driving from the Montgomery, AL area to Exit 101 of I-85 in Atlanta, GA to obtain a kilogram of cocaine and five pounds of methamphetamine. The three persons were then going to drive to Birmingham, AL to deliver a portion of the drugs and then continue on to Elmore, Alabama with the remainder of the drugs. Graves further said that he was supposed to accompany the three, but had an argument with Lawana Albin and subsequently decided not to make the trip and exited Albin's vehicle.

Graves provided that he had himself previously made a trip with Lawana Albin in which they drove to Atlanta, GA and took possession of a vehicle which contained an unknown amount of cocaine. Graves and Lawana Albin then drove on to Fayetteville, NC and delivered the cocaine laden vehicle to an unknown Mexican male.

Graves further stated that on the June 16, 2006 trip that Lawana Albin would be driving a white Isuzu Rodeo with an Autauga County tag and that Bodilla and Christine Albin would be in a green Nissan Exterra bearing an Elmore County tag. Graves added that Lawana Albin would be transporting the drugs in the white Isuzu Rodeo while Bodilla and Christine Albin would be traveling in tandem acting as a "look out". Graves said that he was aware of these details because Carlos Bodilla told him. Graves also said that Bodilla was the main "player" in this activity and that Bodilla's brother-in-law was the connection in Atlanta, GA.

At the direction of DEA Agents, Graves placed a consensually recorded phone call to Lawana Albin. During the conversation, Lawana Albin stated that they were en route to Atlanta and would then be going to Birmingham.

A query of Alabama motor vehicle records revealed that Christine Albin owns a 2000 green Nissan Exterra tag 29G221R registered in Elmore County. Lawana Albin is the registered owner of a 1995 white Isuzu Rodeo tag 4A9163F registered in Autauga County.

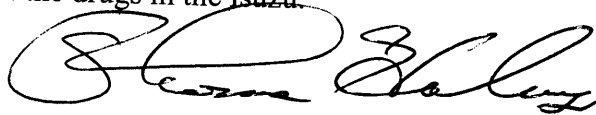
As a result of the above information, DEA Agents and Chilton County Deputies conducted surveillance of I-65 southbound in Chilton County, AL. At approximately 10:30 p.m., the above two vehicles were observed traveling together at mile marker 221. When both vehicles were stopped, Lawana Albin was driving the white Isuzu. Albin denied that she was transporting anything illegal and signed a consent to search form for the Isuzu. Located under the rear seat were 459.8 grams of cocaine hydrochloride and 218.2 grams of methamphetamine as analyzed by the DEA South Central Laboratory.

The green Nissan Xterra was driven by Christine Albin with a subject later identified as Carlos Bodilla and Christine Albin's four year old daughter. A subsequent search of the Nissan

revealed a Glock 9mm pistol under the front seat.

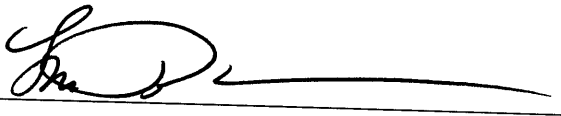
Bodilla was advised of his Miranda Rights and provided a Mexican ID card in the name of Juan LOPEZ-Jimenez. Bodilla was questioned about the validity of the card and admitted that it was fake and that he purchased it so that he can work. Bodilla acknowledged that he was in the country illegally. Bodilla denied any knowledge of the drugs and said there was no drugs found in his car. Bodilla was subsequently transported to the Chilton County Jail for processing and fingerprinting. Bodilla verbally identified himself as Carlos Badillo DOB:11-04-1987. A subsequent fingerprint identification established that this person was wanted in Mississippi for Possession of Marijuana with Intent to Distribute under the name of Carlos Bodilla DOB: 11-04-1982.

Lawanna Albin was advised of her Miranda Rights and initially denied any knowledge of the drugs in her vehicle. Subsequently Albin said that she knew "Carlos" was going to Atlanta to obtain illegal drugs and then bring them to a buyer in Birmingham. She believed that "Carlos" was going to carry the drugs with him. She said that while in Atlanta, GA "Carlos" switched vehicles with her and must have put the drugs in the Isuzu.



DEA Special Agent Tom Halasz
U.S. Drug Enforcement Administration

Sworn to and subscribed before me this 23rd day of August, 2006.



Susan Russ Walker
United States Magistrate Judge